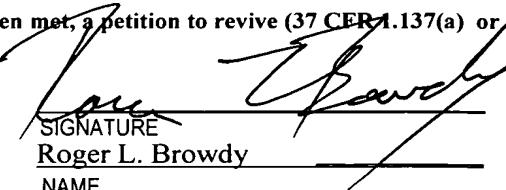| U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTORNEY'S DOCKET NUMBER<br>**KOMAI5** |
|---|---|
| **TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371** | U.S. APPLICATION NO. (If known,see 37 CFR 1.5)<br>**10/509358** |

| INTERNATIONAL APPLICATION NO.<br>**PCT/JP03/04212** | INTERNATIONAL FILING DATE<br>**April 2, 2003** | PRIORITY CLAIMED<br>**April 5, 2002** |
|---|---|---|

TITLE OF INVENTION

**SURFACE TREATED STEEL SHEET FOR USE IN A BEARING SEAL AND A BEARING SEAL USING THE SAME**

APPLICANT(S) FOR DO/EO/US

**Masao Komai et al.**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. [X] This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.

2. [ ] This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.

3. [X] This is an express request to begin national examination procedures (35 U.S.C. 371(f) ) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).

4. [X] The US has been elected in a Demand by the expiration of 19 months from the priority date (PCT Article 31).

5. [X] A copy of the International Application as filed (35 U.S.C. 371(c)(2))
    a. [ ] is attached hereto (required only if not transmitted by the International Bureau).
    b. [X] has been communicated by the International Bureau.
    c. [ ] is not required, as the application was filed in the United States Receiving Office (RO/US).

6. [X] An English language translation of the International Application as filed. (35 U.S.C. 371(c)(2)).

7. [X] Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
    a. [ ] are transmitted herewith (required only if not transmitted by the International Bureau).
    b. [ ] have been communicated by the International Bureau.
    c. [ ] have not been made; however, the time limit for making such amendments has NOT expired.
    d. [X] have not been made and will not be made.

8. [ ] An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).

9. [ ] An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).

10. [ ] An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 16. below concern document(s) or information included:**

11. [X] An Information Disclosure Statement under 37 CFR 1.97 and 1.98.

12. [ ] An Assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

13. [ ] A FIRST preliminary amendment.
    [ ] A SECOND or SUBSEQUENT preliminary amendment.

14. [ ] A substitute specification.

15. [ ] A change of power of attorney and/or address letter.

16. [X] Other items or information:
    [X] Courtesy copy of the first page of the International Publication (WO 03/085170 ).
    [X] Courtesy copy of the International Preliminary Examination Report in Japanese. There were no annexes.
    [X] Application Data Sheet
    [X] Courtesy Copy of the International Search Report.
    [X] The application is (or will be) assigned to: Toyo Kohan Co., Ltd. whose address is 2-12, Yonbancho, Chiyoda-ku, Tokyo, 102-8447, Japan.

| U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br>**10/509358** | International Application No.<br>**PCT/JP03/04212** | Attorney's Docket No.<br>**KOMAI5** |
|---|---|---|

17. [xx] The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492 (a)(1) –(5):**

| | CALCULATIONS PTO USE ONLY |
|---|---|

Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
and International Search Report not prepared by the EPO or JPO.................$1080.00

International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO............$920.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but
international search fee (37 CFR 1.445(a)(2)) paid to USPTO...................$770.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)
but all claims did not satisfy provisions of PCT Article 33(1)-(4)...............$730.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)
and all claims satisfied provisions of PCT Article 33(1)-(4).......................$100.00

| | | |
|---|---|---|
| **ENTER APPROPRIATE BASIC FEE AMOUNT =** | $920.00 | |
| Surcharge of **$130.00** for furnishing the oath or declaration later than [ ] 20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | $ | |

| Claims as Originally Presented | Number Filed | Number Extra | Rate | | |
|---|---|---|---|---|---|
| Total Claims | 2 - 20 | | X $18.00 | $ | |
| Independent Claims | 1 - 3 | | X $86.00 | $ | |
| Multiple Dependent Claims (if applicable) | | | +$290.00 | $ | |
| **TOTAL OF ABOVE CALCULATIONS =** | | | | $920.00 | |

| Claims After Post Filing Prel. Amend | Number Filed | Number Extra | Rate | | |
|---|---|---|---|---|---|
| Total Claims | - 20 | | X $18.00 | $ | |
| Independent Claims | - 3 | | X $86.00 | $ | |
| **TOTAL OF ABOVE CALCULATIONS =** | | | | $920.00 | |

| | | |
|---|---|---|
| Reduction of ½ for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27. | $ | |
| **SUBTOTAL =** | $920.00 | |
| Processing fee of **$130.00** for furnishing the English translation later than [ ] 20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | $ | |
| **TOTAL NATIONAL FEE =** | $920.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **$40.00** per property + | $ | |
| **TOTAL FEES ENCLOSED =** | $920.00 | |
| | Amount to be: refunded | $ |
| | charged | $ |

a. [ ] A check in the amount of $_____ to cover the above fees is enclosed.

b. [X] Credit Card Payment Form (PTO-2038), authorizing payment in the amount of $ 920.00, is attached.

c. [ ] Please charge my Deposit Account No. **02-4035** in the amount of $_____ to cover the above fees.
   A duplicate copy of this sheet is enclosed.

d. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment
   to Deposit Account No. **02-4035**. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

**BROWDY AND NEIMARK, P.L.L.C.**
**624 NINTH STREET, N.W., SUITE 300**
**WASHINGTON, D.C. 20001**
TEL: (202) 628-5197
FAX: (202) 737-3528
Date of this submission: **September 28, 2004**

SIGNATURE
Roger L. Browdy
NAME
**25,618**
REGISTRATION NUMBER

RLB:lmh